

AMENDED IN ASSEMBLY AUGUST 27, 2001

AMENDED IN SENATE MAY 23, 2001

SENATE BILL

No. 610

Introduced by Senator Costa

February 22, 2001

An act to amend Section 21151.9 of the Public Resources Code, and to amend Sections ~~10635~~ *10631*, 10910, 10911, 10912, and 10915 of, and to repeal Section 10913 of, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 610, as amended, Costa. Water supply planning.

(1) Existing law requires every urban water supplier to ~~include~~ *identify*, as part of its urban water management plan ~~an assessment of the reliability of its water service to its customers, the existing and planned sources of water available to the supplier over a prescribed 5-year period.~~

This bill would require additional information to be included as part of an urban water management plan ~~for urban water suppliers whose water supply includes groundwater~~ *if groundwater is identified as a source of water available to the supplier.*

(2) Existing law, under certain circumstances, requires a city or county that determines an environmental impact report is required in connection with a project, as defined, to request each public water system that may supply water for the project to assess, among other things, whether its total projected water supplies will meet the projected water demand associated with the proposed project. Existing law requires the public water system to submit the assessment to the city or county not later than 30 days from the date on which the request was

received and, in the absence of the submittal of an assessment, provides that it shall be assumed that the public water system has no information to submit. Existing law makes legislative findings and declarations concerning “Proposition C,” a measure approved by the voters of San Diego County relating to regional growth management, and provides that the procedures established by a specified review board established in connection with that measure are deemed to comply with the requirements described above relating to water supply planning by a city or county.

This bill would revise those provisions. The bill, instead, would require a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems, under certain circumstances, to ~~assess whether its total projected water supplies will meet the projected water demand associated with the proposed project~~ *prepare a specified water supply assessment*. The bill would require the assessment to include, among other information, an identification of existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project and water deliveries received in prior years by the public water system pursuant to those entitlements, rights, and contracts. The bill would require the city or county, if it is not able to identify any public water system that may supply water for the project, to prepare the water supply assessment. The bill would revise the definition of “project,” for the purposes of these provisions, and make related changes.

The bill would ~~authorize the city or county, provide that if a public water system does not submit the assessment within 90 days, to seek a writ of mandamus to compel the governing body of the public water system to comply with the requirements relating to the submission of the water supply assessment as specified, it shall be assumed that the public water system has no information to submit that is in addition to, or different from, information set forth in its urban water management plan. The bill would provide that nothing in the bill’s provisions prohibits the city or county from seeking a writ of mandamus to compel the public water system to comply with requirements relating to the submission of the water supply assessment.~~

The bill would require the city or county to include the water supply assessment and certain other information in any environmental document prepared for the project pursuant to the act. By establishing



duties for counties and cities, the bill would impose a state-mandated local program.

The bill would provide that the County of San Diego is deemed to comply with these water supply planning requirements if the Office of Planning and Research determines that certain requirements have been met in connection with the implementation of “Proposition C.”

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) The length and severity of droughts in California cannot be
4 predicted with any accuracy.

5 (2) There are various factors that affect the ability to ensure that
6 adequate water supplies are available to meet all of California’s
7 water demands, *now and in the future*.

8 (3) Because of these factors, it is not possible to guarantee a
9 permanent water supply for all water users in California in the
10 amounts requested.

11 (4) Therefore, it is critical that California’s water agencies
12 carefully assess the reliability of their water supply and delivery
13 systems.

14 (5) Furthermore, California’s overall water delivery system
15 has become less reliable over the last 20 years because demand for
16 ~~water has continued to grow while supplies available for~~
17 ~~consumptive uses have decreased.~~

18 ~~(6) —water has continued to grow while new supplies have not~~
19 ~~been developed in amounts sufficient to meet the increased~~
20 ~~demand.~~

21 (6) *There are a variety of measures for developing new water*
22 *supplies including water reclamation, water conservation,*



1 *conjunctive use, water transfers, seawater desalination, and*
2 *surface water and groundwater storage.*

3 (7) With increasing frequency, California's water agencies are
4 required to impose water rationing on their residential and
5 business customers during this state's frequent and severe periods
6 of drought.

7 ~~(7) The identification~~

8 (8) *The identification and development of water supplies*
9 *needed during multiple-year droughts is vital to California's*
10 *business climate, as well as to the health of the agricultural*
11 *industry, environment, rural communities, and residents who*
12 *continue to face the possibility of severe water cutbacks during*
13 *water shortage periods.*

14 ~~(8) It appears~~

15 (9) *A recent study indicates that the water supply and land use*
16 *planning linkage, established by Part 2.10 (commencing with*
17 *Section 10910) of Division 6 of the Water Code, has not been*
18 *implemented in a manner that ensures the appropriate level of*
19 *communication and the necessary information to understand water*
20 *supply availability is not consistently reaching the governing*
21 *bodies of the affected organizations in order for decisions to be*
22 *made with regard to development and water supply availability*
23 *within local communities. between water agencies and planning*
24 *agencies, and this act is intended to remedy that deficiency in*
25 *communication.*

26 (b) It is the intent of the Legislature to strengthen the process
27 pursuant to which ~~cities and counties~~ *local agencies* determine the
28 adequacy of existing and planned future water supplies to meet
29 existing and planned future demands on those water supplies.

30 SEC. 2. Section 21151.9 of the Public Resources Code is
31 amended to read:

32 21151.9. Whenever a city or county determines that a project,
33 as defined in Section 10912 of the Water Code, is subject to this
34 division, it shall comply with Part 2.10 (commencing with Section
35 10910) of Division 6 of the Water Code.

36 ~~SEC. 3. Section 10635 of the Water Code is amended to read:~~

37 ~~10635. (a) Every urban water supplier shall include, as part~~
38 ~~of its urban water management plan, an assessment of the~~
39 ~~reliability of its water service to its customers during normal, dry,~~
40 ~~and multiple dry water years. This water supply and demand~~

1 ~~assessment shall compare the total water supply sources available~~
2 ~~to the water supplier with the total projected water use over the~~
3 ~~next 20 years, in five-year increments, for a normal water year, a~~
4 ~~single dry water year, and multiple dry water years. The water~~
5 ~~service reliability assessment shall be based upon the information~~
6 ~~compiled pursuant to Section 10631, including available data from~~
7 ~~state, regional, or local agency population projections within the~~
8 ~~service area of the urban water supplier.~~

9 ~~(b) For urban water suppliers whose water supply includes~~
10 ~~groundwater, the following information shall be provided as part~~
11 ~~of the assessment required pursuant to subdivision (a):~~

12 ~~(1) A copy of any groundwater management plan adopted by~~
13 ~~the urban water supplier, including plans adopted pursuant to Part~~
14 ~~2.75 (commencing with Section 10750), or any other specific~~
15 ~~authorization for groundwater management.~~

16 ~~(2) A description of any groundwater basin or basins from~~
17 ~~which the urban water supplier pumps groundwater. For those~~
18 ~~basins for which a court or the board has adjudicated the rights to~~
19 ~~pump groundwater, a copy of the order or decree adopted by the~~
20 ~~court or the board and a description of the amount of groundwater~~
21 ~~the urban water supplier has the legal right to pump under the order~~
22 ~~or decree. For basins that have not been adjudicated, information~~
23 ~~as to whether the department has identified the basin or basins as~~
24 ~~overdrafted or in critical condition in its Bulletin 118 series and a~~
25 ~~detailed description of the efforts being undertaken by the urban~~
26 ~~water supplier to eliminate the long-term overdraft condition.~~

27 ~~(3) A detailed description and analysis of the amount and~~
28 ~~location of groundwater pumped by the urban water supplier for~~
29 ~~the past five years.~~

30 ~~(c) The urban water supplier shall provide that portion of its~~
31 ~~urban water management plan prepared pursuant to this article to~~
32 ~~any city or county within which it provides water supplies no later~~
33 ~~than 60 days after the submission of its urban water management~~
34 ~~plan.~~

35 ~~(d) Nothing in this article is intended to create a right or~~
36 ~~entitlement to water service or any specific level of water service.~~

37 ~~(e) Nothing in this article is intended to change existing law~~
38 ~~concerning an urban water supplier's obligation to provide water~~
39 ~~service to its existing customers or to any potential future~~
40 ~~customers.~~

1 SEC. 3. *Section 10631 of the Water Code is amended to read:*

2 10631. A plan shall be adopted in accordance with this
3 chapter and shall do all of the following:

4 (a) Describe the service area of the supplier, including current
5 and projected population, climate, and other demographic factors
6 affecting the supplier's water management planning. The
7 projected population estimates shall be based upon data from the
8 state, regional, or local service agency population projections
9 within the service area of the urban water supplier and shall be in
10 five-year increments to 20 years or as far as data is available.

11 (b) Identify and quantify, to the extent practicable, the existing
12 and planned sources of water available to the supplier over the
13 same five-year increments as described in subdivision (a). *If*
14 *groundwater is identified as an existing and planned source of*
15 *water available to the supplier, all of the following information*
16 *shall be included in the plan:*

17 (1) *A copy of any groundwater management plan adopted by*
18 *the urban water supplier, including plans adopted pursuant to Part*
19 *2.75 (commencing with Section 10750), or any other specific*
20 *authorization for groundwater management.*

21 (2) *A description of any groundwater basin or basins from*
22 *which the urban water supplier pumps groundwater. For those*
23 *basins for which a court or the board has adjudicated the rights to*
24 *pump groundwater, a copy of the order or decree adopted by the*
25 *court or the board and a description of the amount of groundwater*
26 *the urban water supplier has the legal right to pump under the*
27 *order or decree. For basins that have not been adjudicated,*
28 *information as to whether the department has identified the basin*
29 *or basins as overdrafted or has projected that the basin will*
30 *become overdrafted if present management conditions continue, in*
31 *the most current official departmental bulletin that characterizes*
32 *the condition of the groundwater basin, and a detailed description*
33 *of the efforts being undertaken by the urban water supplier to*
34 *eliminate the long-term overdraft condition.*

35 (3) *A detailed description and analysis of the amount and*
36 *location of groundwater pumped by the urban water supplier for*
37 *the past five years. The description and analysis shall be based on*
38 *information that is reasonably available, including, but not limited*
39 *to, historic use records.*

1 (4) A detailed description and analysis of the amount and
2 location of groundwater that is projected to be pumped by the
3 urban water supplier. The description and analysis shall be based
4 on information that is reasonably available, including, but not
5 limited to, historic use records.

6 (c) Describe the reliability of the water supply and
7 vulnerability to seasonal or climatic shortage, to the extent
8 practicable, and provide data for each of the following:

9 (1) An average water year.

10 (2) A single dry water year.

11 (3) Multiple dry water years.

12 For any water source that may not be available at a consistent
13 level of use, given specific legal, environmental, water quality, or
14 climatic factors, describe plans to replace that source with
15 alternative sources or water demand management measures, to the
16 extent practicable.

17 (d) Describe the opportunities for exchanges or transfers of
18 water on a short-term or long-term basis.

19 (e) (1) Quantify, to the extent records are available, past and
20 current water use, over the same five-year increments described in
21 subdivision (a), and projected water use, identifying the uses
22 among water use sectors including, but not necessarily limited to,
23 all of the following uses:

24 (A) Single-family residential.

25 (B) Multifamily.

26 (C) Commercial.

27 (D) Industrial.

28 (E) Institutional and governmental.

29 (F) Landscape.

30 (G) Sales to other agencies.

31 (H) Saline water intrusion barriers, groundwater recharge, or
32 conjunctive use, or any combination thereof.

33 (I) Agricultural.

34 (2) The water use projections shall be in the same five-year
35 increments as described in subdivision (a).

36 (f) Provide a description of the supplier's water demand
37 management measures. This description shall include all of the
38 following:

39 (1) A description of each water demand management measure
40 that is currently being implemented, or scheduled for

- 1 implementation, including the steps necessary to implement any
2 proposed measures, including, but not limited to, all of the
3 following:
- 4 (A) Water survey programs for single-family residential and
5 multifamily residential customers.
 - 6 (B) Residential plumbing retrofit.
 - 7 (C) System water audits, leak detection, and repair.
 - 8 (D) Metering with commodity rates for all new connections
9 and retrofit of existing connections.
 - 10 (E) Large landscape conservation programs and incentives.
 - 11 (F) High-efficiency washing machine rebate programs.
 - 12 (G) Public information programs.
 - 13 (H) School education programs.
 - 14 (I) Conservation programs for commercial, industrial, and
15 institutional accounts.
 - 16 (J) Wholesale agency programs.
 - 17 (K) Conservation pricing.
 - 18 (L) Water conservation coordinator.
 - 19 (M) Water waste prohibition.
 - 20 (N) Residential ultra-low-flush toilet replacement programs.
- 21 (2) A schedule of implementation for all water demand
22 management measures proposed or described in the plan.
- 23 (3) A description of the methods, if any, that the supplier will
24 use to evaluate the effectiveness of water demand management
25 measures implemented or described under the plan.
- 26 (4) An estimate, if available, of existing conservation savings
27 on water use within the supplier's service area, and the effect of
28 such savings on the supplier's ability to further reduce demand.
- 29 (g) An evaluation of each water demand management measure
30 listed in paragraph (1) of subdivision (f) that is not currently being
31 implemented or scheduled for implementation. In the course of the
32 evaluation, first consideration shall be given to water demand
33 management measures, or combination of measures, that offer
34 lower incremental costs than expanded or additional water
35 supplies. This evaluation shall do all of the following:
- 36 (1) Take into account economic and noneconomic factors,
37 including environmental, social, health, customer impact, and
38 technological factors.
 - 39 (2) Include a cost-benefit analysis, identifying total benefits
40 and total costs.

(3) Include a description of funding available to implement any planned water supply project that would provide water at a higher unit cost.

(4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.

(h) Urban water suppliers that are members of the California Urban Water Conservation Council and submit annual reports to that council in accordance with the "Memorandum of Understanding Regarding Urban Water Conservation in California," dated September 1991, may submit the annual reports identifying water demand management measures currently being implemented, or scheduled for implementation, to satisfy the requirements of subdivisions (f) and (g).

SEC. 4. Section 10910 of the Water Code is amended to read:

10910. (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.

(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system that is, or may become, a public water system, as defined in Section 10912, that may supply water for the project. If the city or county is not able to identify any public water system that may supply water for the project, the city or county shall prepare the water assessment required by this part after consulting with the local agency formation commission and any public water system adjacent to the project site.

(c) (1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).

~~(2) If the projected water demand of the project was described in the most recently adopted urban water management plan, the public water system shall comply with subdivisions (d), (e), (f), and (g). If the projected water demand of the project was not described~~

(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the assessment required to comply with subdivisions (d), (e), (f), and (g).

(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, or the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single-dry, and multiple-dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.

~~(d) (1) The assessment shall also be required by this section shall~~ include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water deliveries received in prior years by the public water system under the existing water supply entitlements, water rights, or water service contracts.

(2) An identification of existing water supply entitlements, water rights, or water service contracts held by the public water system shall be demonstrated by providing information related to all of the following:

(A) Written contracts or other proof of entitlement to an identified water supply.

(B) Copies of a capital outlay program for financing the delivery of a water supply; that has been adopted by the public water system.

(C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.

(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

(e) If no water deliveries have been received in prior years by the public water system under the existing water supply entitlements, water rights, or water service contracts, the public water system shall also include in its water supply assessment pursuant to subdivision (c), an identification of the other public water systems or water service contractholders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system has identified as a source of water supply within its water supply assessments.

(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment:

~~(1) A copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.~~

(1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.

~~(2) A description of any groundwater basin or basins from which a court or the board the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or in critical condition in its Bulletin 118 series has projected that the basin will become overdrafted if present management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the urban water supplier of the efforts being undertaken to eliminate the long-term overdraft condition.~~

1 (3) A detailed description and analysis of the amount and
2 location of groundwater pumped by the urban water supplier for
3 the past five years *from any groundwater basin from which the*
4 *proposed project will be supplied. The description and analysis*
5 *shall be based on information that is reasonably available,*
6 *including, but not limited to, historic use records.*

7 (4) A detailed description and analysis of the amount and
8 location of groundwater that is projected to be pumped by the
9 urban water supplier from any basin from which the proposed
10 project will be supplied. The description and analysis shall be
11 based on information that is reasonably available, including, but
12 not limited to, historic use records.

13 (5) An analysis of the sufficiency of the groundwater from the
14 basin or basins from which the proposed project will be supplied
15 to meet the projected water demand associated with the proposed
16 project. A project shall not be required to comply with this
17 subparagraph if the water agency determines, as part of the review
18 required by subparagraph (1), that the amount of groundwater
19 necessary to meet the initial and projected water demand
20 associated with the project was included in the description and
21 analysis required by paragraph (4) of subdivision (b) of Section
22 10631.

23 (g) (1) The governing body of each public water system shall
24 approve the assessment prepared pursuant to subdivision (c), at a
25 regular or special meeting and submit the assessment to the city or
26 county not later than 90 days from the date on which the request
27 was received.

28 (2) If the governing body does not approve and submit the
29 ~~assessment within 90 days, the city or county may seek~~ assessment
30 *within 90 days, it shall be assumed, without a request for a specific*
31 *extension of time, that the public water system has no information*
32 *to submit that is in addition to, or different from, the plan provided*
33 *to the city or county required under Section 10635.*

34 (3) *Nothing in this section prohibits the city or county from*
35 *seeking a writ of mandamus to compel the governing body of the*
36 *public water system to comply with the requirements of this part*
37 *relating to the submission of the water supply assessment prepared*
38 *pursuant to subdivision (c).*

39 (h) Notwithstanding any other provision of this part, if a project
40 has been the subject of a water supply assessment that complies

1 with the requirements of this part, no additional water supply
2 assessment shall be required unless one or more of the following
3 changes occurs:

4 (1) ~~Substantial changes in the project.~~

5 (2) ~~Substantial changes in the circumstances or conditions~~
6 ~~under which the project is being undertaken.~~ *assessment shall be*
7 *required for subsequent projects that were part of a larger project*
8 *for which a water supply assessment was completed and that has*
9 *complied with the requirements of this part and for which the*
10 *public water system has concluded that its water supplies are*
11 *sufficient to meet the projected water demand associated with the*
12 *proposed project, in addition to the public water system's existing*
13 *and planned future uses, including, but not limited to, agricultural*
14 *and industrial uses, unless one or more of the following changes*
15 *occurs:*

16 (1) *Changes in the project that result in a substantial increase*
17 *in water demand for the project.*

18 (2) *Changes in the circumstances or conditions substantially*
19 *affecting the public water agency's ability to provide a sufficient*
20 *supply of water for the project.*

21 (3) Significant new information becomes available which was
22 not known and could not have been known at the time when the
23 assessment was prepared.

24 SEC. 5. Section 10911 of the Water Code is amended to read:

25 10911. (a) If, as a result of its assessment, the public water
26 system concludes that its water supplies are, or will be,
27 insufficient, the public water system shall provide to the city or
28 county its plans for acquiring additional water supplies, setting
29 forth the measures that are being undertaken to acquire and
30 develop those water supplies. Those plans may include, but are not
31 limited to, information concerning all of the following:

32 (1) The estimated total costs, and the proposed method of
33 financing the costs, associated with acquiring the additional water
34 supplies.

35 (2) All federal, state, and local permits, approvals, or
36 entitlements that are anticipated to be required in order to acquire
37 and develop the additional water supplies.

38 (3) Based on the considerations set forth in paragraphs (1) and
39 (2), the estimated timeframes within which the public water
40 system expects to be able to acquire additional water supplies.

1 (b) The city or county shall include the water supply
2 assessment provided pursuant to Section 10910, and any
3 information provided pursuant to subdivision (a), in any
4 environmental document prepared for the project pursuant to
5 Division 13 (commencing with Section 21000) of the Public
6 Resources Code.

7 (c) The city or county may include in any environmental
8 document an evaluation of any information included in that
9 environmental document provided pursuant to subdivision (b).
10 The city or county shall determine, based on the entire record,
11 whether projected water supplies will be sufficient to satisfy the
12 demands of the project, in addition to existing and planned future
13 uses. If the city or county determines that water supplies will not
14 be sufficient, the city or county shall include that determination in
15 its findings for the project.

16 SEC. 6. Section 10912 of the Water Code is amended to read:
17 10912. For the purposes of this part, the following terms have
18 the following meanings:

19 (a) “Project” means any of the following:

20 (1) A proposed residential development of more than 500
21 dwelling units.

22 (2) A proposed shopping center or business establishment
23 employing more than 1,000 persons or having more than 500,000
24 square feet of floor space.

25 (3) A proposed commercial office building employing more
26 than 1,000 persons or having more than 250,000 square feet of
27 floor space.

28 (4) A proposed hotel or motel, or both, having more than 500
29 rooms.

30 (5) A proposed industrial, manufacturing, or processing plant,
31 or industrial park planned to house more than 1,000 persons,
32 occupying more than 40 acres of land, or having more than
33 650,000 square feet of floor area.

34 (6) A mixed-use project that includes one or more of the
35 projects specified in this subdivision.

36 ~~(7) A general plan, element, or amendment that provides for~~
37 ~~one or more of the projects specified in this subdivision.~~

38 ~~(8) —~~



(7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

(b) If a public water system has fewer than 5,000 service connections, then “project” means any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system’s existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system’s existing service connections.

(c) “Public water system” means a system for the provision of piped water to the public for human consumption that has 3000 or more service connections. A public water system includes all of the following:

(1) Any collection, treatment, storage, and distribution facility under control of the operator of the system which is used primarily in connection with the system.

(2) Any collection or pretreatment storage facility not under the control of the operator that is used primarily in connection with the system.

(3) Any person who treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

SEC. 7. Section 10913 of the Water Code is repealed.

SEC. 8. Section 10915 of the Water Code is amended to read:

10915. The County of San Diego is deemed to comply with this part if the Office of Planning and Research determines that all of the following conditions have been met:

(a) Proposition (C), as approved by the voters of the County of San Diego in November 1988, requires the development of a regional growth management plan and directs the establishment of a regional planning and growth management review board.

(b) The County of San Diego and the cities in the county, by agreement, ~~designates~~ *designate* the San Diego Association of Governments as that review board.

(c) A regional growth management strategy that provides for a comprehensive regional strategy and a coordinated economic

1 development and growth management program has been
2 developed pursuant to Proposition C.

3 (d) The regional growth management strategy includes a water
4 element to coordinate planning for water that is consistent with the
5 requirements of this part.

6 (e) The San Diego County Water Authority, by agreement with
7 the San Diego Association of Governments in its capacity as the
8 review board, uses the association's most recent regional growth
9 forecasts for planning purposes and to implement the water
10 element of the strategy.

11 (f) The procedures established by the review board for the
12 development and approval of the regional growth management
13 strategy, including the water element and any certification process
14 established to ensure that a project is consistent with that element,
15 comply with the requirements of this part.

16 (g) The environmental documents for a project located in the
17 County of San Diego include information that accomplishes the
18 same purposes as a water supply assessment that is prepared
19 pursuant to Section 10910.

20 SEC. 9. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 a local agency or school district has the authority to levy service
23 charges, fees, or assessments sufficient to pay for the program or
24 level of service mandated by this act, within the meaning of
25 Section 17556 of the Government Code.

